

# How to Respond to a Divorce, Legal Separation, or Annulment (Invalidity) Petition

## Talk to a lawyer if you can

These instructions are legal *information*, not legal *advice*. It's a good idea to talk to a lawyer before you file any forms. If you cannot afford a lawyer, you can:

- Find a lawyer to help you with the *most difficult* parts of your case, such as reviewing your forms, explaining how to get ready for court and confirming this is the best legal action for your case. You can contact the King County Bar Association to ask for a referral.
- Ask the Family Law Facilitator's office for a list of low-cost and free legal resources.

## Step 1: Determine your response deadline

20 days	If you were served in person in Washington state.
60 days	If you were served in person outside of Washington state or by publication.
90 days	If you were served by mail.

**Note:** If you agree with everything your spouse has requested in the petition, you may fill out a [Joinder](#) form, DRPSCU 01.0330.

## Step 2: Fill out these forms

All of these forms can be downloaded at: [www.courts.wa.gov/forms/](http://www.courts.wa.gov/forms/)

Form Name	Form Number	Notes	Completed
<a href="#">Response to Petition</a>	DR 01.0300	Use form <a href="#">DR 01.0305</a> for Domestic Partnership	<input type="checkbox"/>

If you have children under the age of 18 born during your marriage, you will also fill out these forms

<a href="#">Parenting Plan</a>	DR 01.0400		<input type="checkbox"/>
<a href="#">Declaration in Support of Parenting Plan</a>	DR 04.0120		<input type="checkbox"/>



### How many copies do I need?

- **Original** set to file with Clerk's office.
- Copy **1** is to serve the other party
- Copy **2** you will keep for your records

## Step 3: Take your original forms to the Clerk's Office and file

## Step 4: Have the other party served

### How to Serve

- Someone over the age of 18 – **not you** - must serve (give) or mail the other party or their lawyer a copy.
- After serving, the server fills out the [Return of Service](#), DRPSCU 01.0250 form and returns it to you.
- File the original Return of Service with the Clerk's office. Keep a copy for your records.

## Step 5: You must go to a family law class

Both parties **must** go to a class called *Family Law Orientation* if you are not represented by a lawyer. This class will explain how the court handles family law cases and it will tell you where you can find information and help. The deadline to complete this class is listed on your *Case Schedule*.

**If you have children under 18**, both parties must also go to a parenting class called *What About the Children*. The deadline to complete this class is listed on your *Case Schedule*.

Go to [Family Court Services](#) to find out the cost and how to sign up.

## Step 6: Follow your Case Schedule

**If you and your spouse don't agree:** You will have a trial in approximately 11 months from when the case was filed. Follow the *Case Schedule* that you were served with, you can get a copy of it from the Clerk's office if you were not served with a copy.

If you would like to have temporary orders such as parenting plan, child support, maintenance, restraining order, and/or use of property while you wait to go to trial, see Facilitator instruction, F-4.

You must participate in *Alternative Dispute Resolution (ADR)*, you and your spouse must try to reach an agreement with the help of a professional, such as an attorney or social worker. The *Legal Resource List* available in the Facilitator's contains information on programs that offer *Alternative Dispute Resolution*. You must attempt ADR before the deadline in your *Case Schedule*.

**If you and your spouse do come to an agreement:** You can finalize your case in the Ex Parte court if it's been at least 91 days from when you were served (91 days waiting period does not apply to legal separation and annulment cases). You must file a Note for Motion Docket form, for either [Kent](#) or [Seattle](#) to schedule your final hearing. And choose a hearing date that is at least 14 days from when you file the Note for Motion Docket form with the Clerk's office. You may have to pay a document review fee at your final hearing.

## Step 7: Complete your final documents

All of these forms can be downloaded at: [www.courts.wa.gov/forms/](http://www.courts.wa.gov/forms/)

Form Name	Form Number	Notes	Completed
<a href="#">Findings of Fact and Conclusions of Law</a>	DR 04.0300	Use form <a href="#">DR 04.0305</a> for Domestic Partnership	<input type="checkbox"/>
<a href="#">Decree of Dissolution/Legal Separation/Concerning the Validity of the Marriage</a>	DR 04.0400	Use form <a href="#">DR 04.0405</a> for Domestic Partnership	<input type="checkbox"/>

**If you have children under the age of 18 born during your marriage, you will also fill out these forms**

<a href="#">Parenting Plan</a>	DR 01.0400		<input type="checkbox"/>
<a href="#">Order of Child Support</a>	DR 01.0500		<input type="checkbox"/>
<a href="#">Child Support Worksheets</a>	WSCSS - Worksheets	<a href="#">Use WSCSS – Worksheets RDP for Domestic Partnership</a>	<input type="checkbox"/>
<a href="#">Child Support Schedule &amp; Instructions</a>	This is information to use to calculate Child Support Worksheets. Online Child Support Calculation software is available at <a href="https://fortress.wa.gov/dshs/csips/ssgen/">https://fortress.wa.gov/dshs/csips/ssgen/</a>		

**You may also need these forms if you are going to trial**

<a href="#">Financial Declaration</a>	DRPSCU 01.1550		<input type="checkbox"/>
<a href="#">Sealed Financial Source Documents Cover Sheet</a>	DRPSCU 09.0220		<input type="checkbox"/>
<ul style="list-style-type: none"> <li>▪ If your case involves financial matters you may have to provide copies of financial documents, including:</li> <li>▪ Your W-2s and complete personal tax returns for the past 2 years</li> <li>▪ Your most recent pay stubs (at least 6 months)</li> <li>▪ Complete partnership/corporate tax returns for the past 2 years if you have a 5% interest or more</li> <li>▪ Statements from all of your banks and financial institutions for the past 6 months</li> <li>▪ <i>Note:</i> The other party can ask you for a copy of your check register. If this happens, you will have 14 days to provide it.</li> </ul>			
<a href="#">Restraining Order</a>	DR 04.0500		<input type="checkbox"/>
<a href="#">Law Enforcement Information Sheet</a>	WPF All Cases 01.0400		<input type="checkbox"/>